

Election of Species:

Applicant hereby elects Species I which was identified by the examiner as:

“Performing a strategic definition, prioritizing and selection functions (paragraph 0035, Figure 3).” It is proposed that Species I includes claims 1, 12, 23 and 34. These 4 claims are all directed at “Performing a strategic definition, prioritizing and selection functions (paragraph 0035, Figure 3).”

Species II was identified as “Performing tradeoff identification, prioritization and selection functions (paragraph 0043, Fig. 4).”

Species III was identified as “Performing the objectives, goals and/or tradeoff thresholds definition as a range of values functions (paragraph 0049).”

Species IV was defined as “Performing level of responsibility and/or authority identification functions for data modification (paragraph 0050).”

Species V was identified as “Performing individual performance evaluation, compensation and reward functions (paragraph 0053).”

As the examiner provided no further information as to which claims belonged into each species, applicant proposes the following species-to-claim identification:

Species I: Includes Claims 1, 12, 23 and 34 – all independent claims.

Species II: Includes Claims 2, 13, 24 and 35 - all dependant claims.

Species III: Includes Claims 3, 4, 5, 14, 15, 16, 25, 26, 27, 36, 37 and 38 – all dependant claims.

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Species IV: Includes Claims 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 39, 40,

41, 42 and 43 - all dependant claims.

Species V: Includes Claims 11, 22, 33 and 44 - all dependant claims.

Traverse as to Species I, II and III Only:

The proposed invention as a whole is directed towards “Evaluating the Impact Of Proposed Actions On An Entity’s Strategic Objectives” as per the title of the Application, the Abstract, the Specification and the Claims. To do so involves implementing the both strategic objective(s) of the entity as well as running the day-to-day business. As explained in the Specification in the “Background Art”, and in particular in paragraphs 0011 to 0022, the present methods and systems for accomplishing both the strategic objectives and the daily operating business are inherently in conflict. At present, the decision making on the day-to-day business is based upon cost reduction and oldest order being scheduled first, based upon the existing MIS system, whereas the strategic objective may be based upon criteria other than cost control or oldest order, such as reducing lead-times. Reducing lead-times may increase costs and extend old orders out further while reducing costs and getting the oldest order out first may increase lead-times. Thus the inherent conflict between the two and the inadvertent and/or unknowing “tradeoff” now being made between the daily operations of the MIS system and the entity’s strategic objective. Examples; if I make decisions based upon the existing MIS system, I am working to reduce costs and get oldest orders out first rather than working to reduce lead-times, (if that is the strategic objective); or if I choose to utilize machine “1” to make part “A”, I am prevented from making part “B” on machine “1” while I am

making part “A”. It’s a tradeoff as to which I can do – “A” or “B” first. As such, tradeoffs are now, and have been, made all along, just unknowingly.

As such, it is feasible to do only Species I. However, in doing so, we ignore the inherent tradeoffs that are being made, either knowingly or unknowingly. Therefore, the Species II claims, which are all dependant upon the Species I claims, are further restrictions on the independent claims of Species I. In fact, without the independent Claims of Species I, there could be no dependant claims of Species II.

As further regards Species I and II, the specified definition of Strategic Objective and Tradeoffs are provided in the specification at paragraphs 0026 and 0028, respectively. The definition of Tradeoffs “meant to include any and all negative consequences that might, or in fact do, occur as a result striving to achieve the strategic objectives. In the alternative, a tradeoff could be a positive result that occurs even though the proposed action has a negative or insignificant effect on the strategic objective measure. A tradeoff can also include secondary or alternative strategic objectives.” As such, the “Tradeoffs” of the dependent claims of Species II are directly related to the operation of the business as a whole, per the Title and Specification and can not be separated from the measures of the strategic objectives of the claims of Species I. The defined and knowing (as opposed to unknowing) “Tradeoffs” of Species II depend upon the “Strategic Objective” of Species I. Without the “Strategic Objectives” of Species I, the “Tradeoffs” of Species II cannot exist as a separate Species. There would be nothing to “Tradeoff” against.

As to Species I, II and III, the Species III claims all depend from either Species I or Species II as further restrictions on either Species I or II claims. Species III claims relating to: “Performing the objectives, goals and/or tradeoff thresholds definition as (a) range of value functions (paragraph 0049).” One cannot have a specified range of value functions of Species III if one does not have the either the “Strategic Objective” value of Species I or the “Tradeoff” value of Species II. Thus, Species III can not exist as a separate Species.

In summary, the “Strategic Objectives” of Species I can exist as a stand alone, however, the “Tradeoffs” of Species II can not exist without the “Strategic Objectives” of Species I, and the “Ranges” of Species III can not exist without either the “Strategic Objectives” of Species I or the “Tradeoffs” of Species II. Thus, Species II are dependant and not mutually distinct from Species I, and Species III is dependant upon either Species I or II and not mutually distinct from either Species I or II.